

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

NAIEL NASSAR, M.D.,

*Plaintiff,*

v.

UT SOUTHWESTERN HEALTH SYSTEMS a/k/a  
UNIVERSITY OF TEXAS SOUTHWESTERN  
MEDICAL CENTER,

*Defendant.*

CIVIL ACTION NO. 3:08-CV-1337-B

---

PLAINTIFF NAIEL NASSAR, M.D.'S NOTICE OF CROSS APPEAL

---

TO THE HONORABLE UNITED STATES DISTRICT COURT:

Defendant University of Texas filed a Notice of Appeal on May 29, 2008, giving notice of its intent to appeal the Final Judgment signed by the Honorable Jane Boyle of the United States District Court for the Northern District of Texas. Plaintiff in the above named case, Dr. Naiel Nassar, gives notice that he hereby cross-appeals to the United States Court of Appeals for the Fifth Circuit from the following orders of the District Court:

1. Memorandum Opinion and Order dated September 16, 2010 denying Naiel Nassar, M.D.'s Motion for Front Pay (Dkt. 175) in which the Court denied Plaintiff's Application for Court Award of Front Pay (Dkt. 147) in the amount of \$4,200,000.00; and
2. Final Judgment dated September 16, 2010 (Dkt. 176), granting in part Plaintiff's Motion for Entry of Final Judgment (Doc. 148), appealing only to the extent that the Final

Judgment subsumed within it the Court's Memorandum Opinion and Order dated September 16, 2010 denying Naiel Nassar, M.D.'s Motion for Front Pay. Plaintiff appeals on the limited ground that the granting of Plaintiff's Motion for Entry of Final Judgment should have also included an award of front pay.

Plaintiff otherwise requests that the District Court be affirmed in all respects.

Respectfully submitted,

/s/ Brian P. Lauten

BRIAN P. LAUTEN - Lead Appellate Counsel  
Texas Bar No. 24031603  
blauten@sawickilauten.com  
AMY BRYANT LAUTEN  
Texas Bar No. 24011148  
alauten@sawickilauten.com  
SAWICKI & LAUTEN, LLP  
4040 N. Central Expressway, Suite 850  
Dallas, TX 75204  
T: 214.720.0022  
F: 214.720.0024

/s/ Charla G. Aldous

CHARLA G. ALDOUS  
Texas Bar No. 20545235  
caldous@aldouslaw.com  
BRENT R. WALKER  
Texas Bar No. 24047053  
bwalker@aldouslaw.com  
ALDOUS LAW FIRM  
2311 Cedar Springs Rd., Suite 200  
Dallas, Texas 75201  
T: 214.526.5595  
F: 214.526.5525

**ATTORNEYS FOR PLAINTIFF NAIEL NASSAR, M.D.**

\*\*\*

**CERTIFICATE OF SERVICE**

I hereby certify that on April 22, 2011, I electronically transmitted the attached document to the Clerk of the Court and all counsel of record using the ECF System for filing in accordance with this Court's ECF Order.

/s/ Brian P. Lauten

BRIAN P. LAUTEN